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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/231,625	01/14/1999	ROBERT BEACH	612	2840

23704 7590 04/22/2002
SYMBOL TECHNOLOGIES INC
LEGAL DEPARTMENT
ONE SYMBOL PLAZA
HOLTSVILLE, NY 11742

EXAMINER

LEE, CHI HO A

ART UNIT PAPER NUMBER

2663

DATE MAILED: 04/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

W

Office Action Summary

Application No.

09/231,625

Applicant(s)

BEACH ET AL

Examiner

Andrew Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said computer" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "said interface" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites "connecting another device to said switching hub over a further cable". It is unclear what "another device" and "further cable" are referring to.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 4, 6, 7, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Fischer U.S. Patent Number 5,502,726.

Re Claim 1, fig 1 teaches hub 16 (data switching hub) connecting plurality of RF bridges 22 & 24 (access points) to the OXIWORKSTATION 12 (a central computer); fig

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3 further teaches the hub 16 to include the Network address detection logic 318 to selectively provide data in accordance to the destination address (See col. 4, lines 49-63).

Re Claims 3, 13, refer to Claim 1, fig 3 teaches the transceiver (transmitter/receiver) for coupling the RF bridges and the mobile units, Microprocessor 314 (a processor), power supply 322, wherein fig 1 teaches the hub 16 coupled to the Oxiview Workstation via cable 21 for providing Patient Data (data interface).

Re Claim 4, fig 1 teaches the RF bridge 22 (access point) with an antenna with an enclosure. It is inherent for the RF bridge to include transmitter/receiver, data interface, a processor, and a power supply to be compatible with the components of the switching hub.

Re Claim 6, fig 2 teaches the components of the PNA of fig 1 which includes EIA-232 XCVR (a data cable jack) for connecting to the hub 14.

Re Claim 7, refer to Claim 6, further teaches the ARCNET interface 212 and the RADIO interface 214 arranged in parallel (first and second connector).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2, 8-10, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer U.S. Patent Number 5,502,726 in view of Base et al U.S. Patent Number 6,137,797.

Re Claims 2, 8, 14, and 15, Fischer teaches the Workstation 12 connected to the Hub 14 via cable 21 for providing packet data information; the hub connected to plurality of RF bridges 20, 22, 24; the wireless units 19 associated with the selected RF bridge by a MAC address; fig 3 teaches the ARCNET ports for interconnecting the bridges to the hub 16 and the Network Address Detection Logic 318 for maintaining a routing list (See col. 14, lines 30 +).

Fischer fails to explicitly teach the routing list correlating the source address with the port of the hub. However, Base et al teaches a means for using the source address in the packet to access another lookup table to identify the Port of Exit (POE) (See col, 8, lines 38-44). With the POE known, efficient routing of the packet can be facilitated. Furthermore, Base et al also teaches when the source address is correlated with the port of the hub, the size of the look-up table can be minimized (See col. 1, lines 55-63). One of ordinary skilled would have been motivated by Base et al to modify the network address logic 318 of Fischer to correlate the port with source address to facilitate efficient routing and to minimize the size of the look-up table. Therefore, it would have been obvious to one ordinary skilled incorporate the teaching of Base et al into the teaching of Fischer.

Re Claim 9, the selected type of data differentiated by the Service identifier.

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Re Claim 10, packet includes the source and destination addresses, the bridge provides relaying of the packets wherein the hub relays packets from the workstation 12.

4. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer U.S. Patent Number 5,502,726 in view of Base et al U.S. Patent Number 6,137,797 as applied to claims 8 and 10 above and further in view of Sturniolo et al U.S. Patent Number 6,154,461.

Re Claims 11 and 12, Fischer in view of Base et al fails to explicitly teach the mobile unit updating the routing list in the switching hub. However, Sturniolo et al teaches the mobile terminal 36 configured to send a gratuitous update packet to the GATEWAY1 to immediately update the tables to achieve seamless roaming (see abstract). One of ordinary skilled would have motivated by Sturniolo et al to update the routing table to facilitate roaming of the mobile units. Therefore, it would have been obvious to one ordinary skilled to incorporate the teaching of the Sturniolo et al into the teaching of Fischer in view of Base et al.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer U.S. Patent Number 5,502,726.

Re Claim 5, Fischer fails to explicitly teach the adhesive surface for mounting the enclosure to a wall. However, one of ordinary skilled would have motivated to mount the enclosure with adhesive surface for ease of network implementation.

6. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer U.S. Patent Number 5,502,726 in view of Base et al U.S. Patent Number

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6,137,797 as applied to claim 13 above and further in view of Portaro et al U.S. Patent Number 5,946,617.

Re Claims 16-18, Fischer in view of Base et al fails to explicitly teach the additional wire is a multi-conductor cables arranged to provide power to the access points. However, Portaro et al teaches a method of eliminating the cost of providing power to the access points by feeding the DC power lines to each of the access points via multi-conductor cables 165. One of ordinary skilled would have been motivated by Portaro to use the multi-conductor cables to power the bridge and the access points to reduce cost. Therefore, it would have been obvious to one ordinary skilled incorporate the teaching of Portaro into the teaching of Fischer in view of Base et al.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 703-305-1500. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

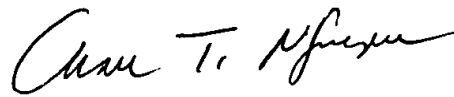
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Andy Lee
April 16, 2002



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